

Virginia Graeme Baker Pool and Spa Safety (VGB) Reauthorization Act

Rep. Debbie Wasserman Schultz, Rep. John Carter, Rep. Colin Allred

Section by Section

Section 1 - SHORT TITLE.

Virginia Graeme Baker Pool and Spa Safety Reauthorization Act

Section 2 - FINDINGS.

- Drowning is a public health crisis. Drowning can happen in seconds, is often silent, and can happen to anyone, anytime there is access to water.
- About 11 people die each day from drowning in the United States, and drowning kills nearly 4,000 people each year in the United States.
- Of injury-related deaths, drowning is the first leading cause of accidental death in children aged 1 to 4 in the United States, and the second most likely leading cause of accidental death in children aged 1 to 14 in the United States.
- Drowning death rates for Black people are 1.5 times higher than the rates for White people, and drowning death rates for American Indian people ages 29 and younger are 2 times higher than the rates for White people in the same age range.
- People in rural areas of the United States are 26 percent more likely to die by drowning than people in urban areas of the United States.
- Research shows that the installation and proper use of barriers or fencing, as well as additional layers of protection, such as swimming lessons, could substantially reduce the number of child hood fatal and nonfatal drownings in residential swimming pools.

Section 3 - COVERED ENTITY DEFINED.

A covered entity includes a state, municipality, Indian Tribe, or nonprofit organization. Nonprofits must have proven experience addressing pool or spa safety and drowning prevention.

Section 4 - SWIMMING POOL SAFETY GRANT PROGRAM.

Eligibility requires grantees to demonstrate that, in the geographic location they plan to carry out activities using grant funds, the covered entity has enacted and enforces a law that meets the minimum state law requirements under 15 U.S.C. 8005.

Priority for Grantee Selection CPSC is required to consider the following factors, in addition to ensuring geographic diversity: (i) not having been previously awarded, (ii) expansion of educational efforts, (iii) building on prior expertise or activities, (iv) the number per capita of drowning and entrapment incidents in the area, and (v) those targeting underserved, minority, or rural populations to address and target racial, ethnic, or rural disparities.

Amount of Grant CPSC is required to consider: (i) population, (ii) enforcement, implementation, and education needs, or (iii) the number of individuals to whom the grantee will provide education.

Length of Grants 2 years

Use of Funds For states, municipalities, and Indian Tribes, 25% must be used to hire and train personnel to implement and enforce standards under the law and to inspect, repair, and replace drain covers to ensure compliance, and the remainder may be used to educate pool owners, operators, and member of the public about the new laws and about prevention of drowning for children in pools and spas, which may include swimming lessons up to 25%. For nonprofits, the same requirements apply, except the 25% personnel enforcement requirement.

Recipient Reporting A final report is required within 90 calendar days after the end of the grant project period as required by CPSC funding opportunity announcements detailing: (i) total funding received, (ii) originally proposed purpose, (iii) how the funds were actually used, (iv) whether the goals were achieved, (v) any barriers to meeting goals, and (vii) best practices or recommendations for future grant awards and grantees.

Grant Awareness Campaign CPSC will conduct a campaign to conduct outreach to covered entities on the availability of the grants.

Staffing CPSC shall have a Director of Drowning Prevention to coordinate all CPSC drowning and pool and spa safety activities. CPSC also is required to maintain 1 FTE equivalent responsible for the grant program.

Appropriation Grant program is authorized from 2024 to 2028 at \$5,000,000 per year.

Section 5 – POOL SAFELY EDUCATION PROGRAM.

Reauthorizes the program from 2024 to 2028 at \$5,000,000 per year, and adds explicit language concerning education and awareness relating to inspecting, fixing, and replacing drain covers to ensure compliance, as well as educational materials designed to reach historically disadvantaged communities which have higher rates of drowning than the nationwide average.

Section 6 - CPSC REPORT.

Every year after a grant award cycle, CPSC is required to submit a report to Congress addressing: (i) how many applicants, (ii) applicant information, (iii) total recipients and funding totals, (iv) why applicants were chosen, (v) any other purposes other than grants that the funding was used, and (vi) an evaluation of the effectiveness of the program, including barriers and gaps, recommendations for policy changes if any to increase effectiveness.